

10/30/03
15711 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket No. D6323D
Anticipated Classification of this application:
Class: 204 Subclass: 157150
Prior application: Examiner: Wong, E.
Art unit: 1753

03917 U.S. PTO
10/697463
103003

MS PATENT APPLICATION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a request for filing a divisional application under 37 CFR 1.53(b), of pending prior application Serial No. 09/546,065 filed on April 10, 2000, entitled **Energy Enhanced Reaction Catalysis and Uses Thereof**.

1. ☒ Enclosed is a new specification and drawings as originally filed and containing no new matter, including a new declaration.
2. ☒ Small entity status under 37 CFR 1.27(a)(1) was established in the prior application and such status is still proper and desired.
3. ☒ The filing fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION LESS ANY CLAIMS CANCELLED BY AMENDMENT BELOW PLUS CLAIMS ADDED BY PRELIMINARY AMENDMENT

For:	No. filed	No. extra
Basic Fee		
Total claims*	20 = <u>20</u>	<u>0</u>
Indep. claims*	3 = <u>2</u>	<u>0</u>

0 Multiple Dependent Claim Presented

<u>Fees for Small Entity</u>		or	<u>Fees for other than a small entity</u>	
Rate	Fee		Rate	Fee
	\$385.00	or		\$.00
<u>0</u> x \$43	= \$ <u>0</u>	or	<u> </u> x \$	= \$ <u> </u>
<u>0</u> x \$ 9	= \$ <u>0</u>	or	<u> </u> x \$	= \$ <u> </u>
+ \$	= \$ <u>0-</u>	or	\$	= \$ <u> </u>
TOTAL	\$385.00	or	TOTAL	\$ <u> </u>

4. ☒ The Commissioner is hereby authorized to charge the \$385.00 filing fee or any additional fees required, or credit any overpayment to Deposit Account No. 07-1185..


5. ☒ Claim 1 corresponds to original independent claims 15, 20, 25 and 30 and claim 12 corresponds to original independent claims 35 and 42. Claims 2-11 correspond to original dependent claims 16-19, 21-24 and 26-30 and claims 13-20 correspond to original dependent claims 36-41 and 43-48. Effectively original claims 1-14 are canceled.
6. ☒ This application is a divisional application of USSN 09/546,065, filed on April 10, 2000, which claims benefit of provisional application USSN 60/128,444, filed April 9, 1999, now abandoned.
7. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by § 1.138 and before payment of issue fee.)
8. ☒ Figures 1-3, 4A-4E, and 5 are enclosed herewith on 5 sheets.
9. ☐ Priority of application serial no. _____ filed on in _____, is claimed under 35 U.S.C. 119.
- ☐ The certified copy of the priority application has been filed in prior application serial no. _____.
10. ☒ With respect to the prior copending U.S. application from which this application claims benefit under 35 U.S.C. §120,
- a. ☒ the inventor(s) in this application are the same.
- b. ☒ The inventorship for all the claims in the application are the same.
- c. ☐ The inventorship for all the claims in the application not the same, and an explanation, including the ownership of various claims at the time the last claimed invention was made, is submitted.
11. ☒ The prior application is assigned of record to Rocky Mountain Biosystems, Inc. and is located on Reel/Frame 012969/0438.
12. ☒ The power of attorney in the prior and instant application includes Benjamin Aaron Adler, Ph.D., Registration No. 35,423 and appears in new Declarations and Powers of Attorney submitted herewith.

13. X Address all future communications to:

Benjamin Aaron Adler, Ph.D., J.D.
Adler & Associates
8011 Candle Lane
Houston, Texas 77071

14. A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in prior application.)
- a. A Supplemental Oath [1.67(b)(1)] for new claims is enclosed.
15. A paper copy of the Sequence Listing is enclosed along with:

Oct 29, 2003
Date


Benjamin Aaron Adler, Ph.D., J.D.
Registration No. 35,423
Attorney for Applicant

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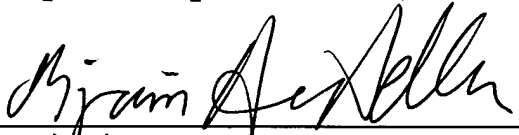
CERTIFICATE OF EXPRESS MAILING
UNDER 37 CFR 1.10

I hereby certify that this divisional transmittal and the documents referred to as attached therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service as Express Mail No.EV330326579US in an envelope addressed to: MS PATENT APPLICATION, Commissioner for Patents, P.O. Box, Alexandria, VA 22313-1450, on the date indicated below.

Please return the enclosed postcard acknowledging receipt of this correspondence.

Respectfully submitted,

DATE: Oct 30, 2003


Benjamin Aaron Adler, Ph.D, J.D.
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